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JAN 10 2018

DOUGLAS E. ARPERT
U.S. MAGISTRATE JUDGE

January 10, 2018

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JAN 12 2018

AT 8:30
WILLIAM T. WALSH
CLERK

VIA ECF

The Honorable Douglas E. Arpert, U.S.M.J.
United States District Court
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: *Mitsubishi Tanabe Pharma Corp., et al. v. MSN Laboratories Private Ltd., et al.*
Civil Action No. 17-5302 (PGS)(DEA)

Dear Judge Arpert:

This firm, together with Quinn Emanuel Urquhart & Sullivan, LLP, represents Plaintiffs Mitsubishi Tanabe Pharma Corporation, Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica NJ, Janssen Research and Development, LLC, and Cilag GmbH International (collectively, "Janssen") in the above-captioned matter.

We write regarding the Rule 16 conference that is currently scheduled in this matter for January 18, 2018. This matter is one of seven matters currently pending before Your Honor in which Janssen is asserting U.S. Patent No. 7,943,582 ("the '582 patent") and/or U.S. Patent No. 8,513,202 ("the '202 patent") against one or more companies seeking to market generic versions of Janssen's INVOKANA[®] and/or INVOKAMET[®] tablets.¹ In the Aurobindo matter (the first case listed below), a Rule 16 conference has been set for February 13, 2018. Because these cases are related to the extent that they involve the same plaintiffs, the same patents directed to polymorphic forms of canagliflozin, and the same Reference Listed Drugs, Janssen believes that

¹ Aside from this case, the cases asserting the '582 and/or '202 patents are: *Mitsubishi Tanabe, et al. v. Aurobindo, et al.*, Civil Action No. 17-5005 ("Aurobindo"); *Mitsubishi Tanabe, et al. v. Princeton, et al.*, Civil Action No. 17-5135 ("the first Princeton matter"); *Mitsubishi Tanabe, et al. v. Apotex*, Civil Action No. 17-5278 ("Apotex"); *Mitsubishi Tanabe, et al. v. Princeton*, Civil Action No. 17-7342 ("the second Princeton matter"); *Mitsubishi Tanabe, et al. v. Macleods*, Civil Action No. 17-13130 ("Macleods"); *Mitsubishi Tanabe, et al. v. Lupin Ltd.*, Civil Action No. 18-292 ("Lupin").

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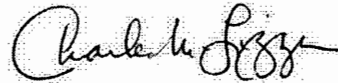
it would be more efficient and would conserve the parties' and the Court's resources if the cases were coordinated for a single Rule 16 conference before Your Honor. To that end, Janssen respectfully requests that the January 18, 2018 Rule 16 conference be adjourned and combined with the February 13th Rule 16 conference in the Aurobindo matter and that the remaining cases (the first Princeton matter, Apotex, the second Princeton matter, Macleods and Lupin) also be joined in that Rule 16 conference on February 13.²

We have reached out to the defendants in this case and the other cases for which a Rule 16 conference has not been scheduled. Counsel for all defendants in this case (17-5302) are amenable to this request. Counsel for Princeton (17-5135 & 17-7342), Hetero (17-5135), and Apotex (17-5278) are also amenable to this request. Counsel for all defendants have been copied on this letter.

If this meets with the Court's approval, we respectfully request that Your Honor sign and enter the below form of endorsement.

Thank you for Your Honor's kind attention to this matter.

Respectfully yours,



Charles M. Lizza

cc: All Counsel (via e-mail)

ORDERED that the January 18, 2018 Rule 16 conference scheduled in Civil Action No. 17-5302 is here by ADJOURNED and will proceed instead on February 13, 2018 at 11:30 a.m. with Civil Action No. 17-5005. Civil Action Nos. 17-5135, 17-5278, 17-7342, 17-13130 and 18-292 will also proceed with a Rule 16 conference at this date and time. The parties to all actions shall submit a joint discovery plan for all actions seven (7) days before the conference.



Hon. Douglas E. Arpert, U.S.M.J.

² Further, counsel for Janssen is unavailable on January 18, and we therefore request that the conference be adjourned for this additional reason.